

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

IN RE:)	
)	
CAROL LINDA DILLE)	Case No. 18-42994-DRD
)	
Debtor(s).)	

**ORDER GRANTING TRUSTEE'S EMERGENCY MOTION FOR TURNOVER
AND TO INCUR EXPENSE TO PRESERVE PROPERTY OF THE BANKRUPTCY
ESTATE**

WHEREAS, Victor Weber, the Chapter 7 trustee of the above captioned bankruptcy estate seeking an order of this Court permitting him and his agents enter on and into certain real property of the bankruptcy estate for the purpose of securing the property and maintaining it to a standard consistent with law and also seeking the related relief of permitting the trustee to incur debt for the estate to secure and maintain the real property, final seeking an order of this Court prohibiting the debtor from interfering with the trustee's administration of the estate.

THIS COURT, having reviewed the trustee's Emergency Motion, having reviewed the docket in the above captioned case and being satisfied that it is sufficiently advised and for good cause shown, GRANTS THE TRUSTEE'S EMERGENCY MOTION FOR TURNOVER AND TO INCUR EXPENSE TO PRESERVE PROPERTY OF THE BANKRUPTCY ESTATE.

Specifically, the COURT FINDS, that the above-captioned bankruptcy estate has an interest in the following listed property (the "Real Estate"):

4937 Westwood, Kansas City, Mo.
4933 Westwood, Kansas City, Mo.

781 NW 1621st Road, Bates City, Mo.

206 E 66th Street, Kansas City, Mo.

4605 Liberty Street, Kansas City, Mo.

THE COURT FINDS that the outdoor areas of the Real Estate are not being properly maintained and specifically grants the trustee and his agents the right to enter into the outdoor areas of the Real Estate for the purposes of inspecting the condition of the Real Estate, and to maintain the exterior parts of the Real Estate. THIS COURT also approves the trustee's request to incur debt to maintain the exterior parts of the Real Estate and authorizes him to incur such debt as he determines reasonable and necessary to bring the condition of the Real Estate into conformity with law and to make the real estate marketable.

THE COURT FINDS that the Real Estate at 4605 Liberty Street is occupied by the debtor's brother and that the debtor claims to occupy both the 4937 Westwood property and the 781 NW 1621st Road, Bates City. THE COURT NOTES that the debtor has claimed a homestead exemption in the 4937 Westwood property and has listed it as her mailing address. THE COURT FINDS that the remaining Real Estate is vacant and that none of the Real Estate is being properly maintained.

CONSEQUENTLY, THE COURT GRANTS THE TRUSTEE'S REQUEST to enter into the structures at 4933 Westwood, Kansas City; 781 NW 1621st Road, Bates City; and 206 E 66th Street, Kansas City (collectively referred to as the "Vacant Real Estate") for the purpose of securing the Vacant Real Estate; changing the locks; and maintain the structures and protecting them against the elements. Should the debtor have exempt personal property in the Vacant Real Estate, the trustee shall grant the debtor access at reasonable times and upon reasonable notice for her to remove her exempt personal property.

THIS COURT also approves the trustee's request to incur debt to secure and protect the Vacant Real Estate from the weather and elements and authorizes him to incur such debt as he determines reasonable and necessary to maintain the Vacant Real Estate and to make the real estate marketable. THIS COURT also approves the trustee's request to procure property damage insurance for the 206 E 66th Street, Kansas City property and should he discover other pieces of the Real Estate are uninsured, he may, in the exercise of his business judgment, obtain insurance for them as well.

THIS COURT ALSO GRANTS the trustee's request to inspect the interior of the 4937 Westwood property. The debtor shall permit the trustee and his real estate agent to inspect the property within 5 days of the date of this Order. Additionally, the debtor shall cooperate with the trustee in marketing and selling the 4937 Westwood property and shall make it available to be shown to prospective buyers at reasonable times and upon reasonable notice.

As is stated above, THIS COURT FINDS that the above-captioned bankruptcy estate has an interest in the Real Estate. THIS COURT ORDERS THE DEBTOR, CAROL LINDA DILLE, to not interfere with the trustee or his agents in their inspection, securing, remediation, or protection of the estate's property. ADDITIONALLY, CAROL LINDA DILLE is specifically prohibited from taking any action to transfer the Real Estate, or to transfer any interest in any property in which the estate has an interest, or to otherwise cloud title to the Real Estate, or to file or to cause to be filed any document with any Recorder of Deeds or any court other than this Court which affects the estate's interest in property, including the Real Estate.

Date: October 30, 2020

/s/Dennis R. Dow

Honorable Dennis R. Dow

United States Bankruptcy Judge

Stipulated and Approved by:

MERRICK, BAKER, AND STRAUSS

By: /s/ Victor Weber

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